

1 James W. Pengilly, Esq.
2 Nevada Bar No. 6085
3 Craig D. Slater, Esq.
4 Nevada Bar No. 8667
5 **PENGILLY ROBBINS SLATER BELL**
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7 Las Vegas, NV 89145
8 T: (702) 889-6665; F: (702) 889-6664
9 Counsel for *Mountain West Mortgage, LLC*

7
8 IN THE UNITED STATES BANKRUPTCY COURT
9
10 DISTRICT OF NEVADA

10 * * * * *

11 In re:

12 USA COMMERCIAL MORTGAGE
13 COMPANY,

14 USA CAPITAL REALTY ADVISORS, LLC¹

15 USA CAPITAL DIVERSIFIED TRUST
16 DEED FUND, LLC,

17 USA CAPITAL FIRST TRUST DEED
18 FUND, LLC,²

19 USA SECURITIES, LLC,³

20 Debtors.

21 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Bankruptcy Case No: BK-S-06-10725-LBR
Bankruptcy Case No: BK-S-06-10726-LBR¹
Bankruptcy Case No: BK-S-06-10727-LBR
Bankruptcy Case No: BK-S-06-10728-LBR²
Bankruptcy Case No: BK-S-06-10729-LBR³

Chapter 11

Jointly Administered Under Case No.:
BK-S-06-10725 LBR

**EX PARTE MOTION FOR LEAVE OF
COURT TO BE DELETED FROM
ELECTRONIC SERVICE**

Date: EX PARTE

Time:

26 ¹ This bankruptcy case was closed on September 23, 2008.

27 ² This bankruptcy case was closed on October 12, 2007.

28 ³ This bankruptcy case was closed on December 21, 2007.

1 **EX PARTE MOTION FOR LEAVE OF COURT TO BE DELETED FROM ELECTRONIC**
2 **SERVICE**

3 COMES NOW Craig D. Slater of the law firm of Pengilly Robbins Slater & Bell and moves
4 ex parte for an Order deleting Craig D. Slater and the law firm of Pengilly Robbins Slater & Bell
5 from the Court's electronic and paper service lists.

6 The basis for this motion is set forth in the attached declaration.

7 WHEREFORE, Craig D. Slater of the law firm of Pengilly Robbins Slater & Bell moves for
8 an order deleting the below address from the electronic service list.

10 James W. Pengilly, Esq.
11 Nevada Bar No. 6095
12 Craig D. Slater, Esq.
13 Nevada Bar No. 8667
14 PENGILLY ROBBINS SLATER BELL
15 10080 W. Alta Dr., #140
16 Las Vegas, NV 89145

17
18 Email Address: ltollerud@pengillylawfirm.com
19 clopez@pengillylawfirm.com

20 DATED this 8th day of October, 2009.

21 PENGILLY ROBBINS SLATER BELL



22 James W. Pengilly, Esq.
23 Nevada Bar No. 6085
24 Craig D. Slater, Esq.
25 Nevada Bar No. 8667
26 10080 West Alta Drive, Suite 140
27 Las Vegas, NV 89145
28 T: (702) 889-6665; F: (702) 889-6664

1 **DECLARATION OF CRAIG D. SLATER IN SUPPORT OF EX PARTE MOTION FOR AN**
2 **ORDER DELETING CRAIG D. SLATER AND THE LAW FIRM OF PENGILLY ROBBINS**
3 **SLATER & BELL FROM THE ELECTRONIC SERVICE LIST**

4 I, Craig D. Slater, declare and state as follows:

- 5 1. I am a partner in the law firm of Pengilly Robbins Slater & Bell.
- 6 2. I was engaged to represent Mountain West Mortgage in connection with an objection
7 to the proof of claim (Number 10725-00203) filed by Mountain West Mortgage
("Proof of Claim").
- 8 3. On September 3, 2009, Mountain West Mortgage stipulated to the entry of an order
9 disallowing its Proof of Claim and vacating all court dates and deadlines in
10 connection with the litigation regarding the Proof of Claim.
- 11 4. On September 4, 2009, this court entered the proposed order submitted by the parties
12 ("Order"). No motion to reconsider the Order the Order has been filed and no appeal
13 from the Order has been taken.
- 14 5. The Order is now final.
- 15 6. As part of my representation of Mountain West Mortgage I complied with the Local
16 Rules and provided my email address for electronic service of all documents in the
17 case-in-chief. Since the entry of the Order, I have continued to be served with all
18 filings in the case-in-chief .
- 19 7. At the present time, there is no reason for me to continue to be serviced with filings in
20 this case.

21 I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is
22 true and correct and that this Declaration was executed on October 8, 2009.

23 PENGILLY ROBBINS SLATER BELL

24 

25
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28 Craig D. Slater, Esq.
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